STAND. COM. REP. NO.

Honolulu, Hawaii

APR 0 8 2011

RE: H.B. No. 1130

S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1130, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SERVICE OF PROCESS,"

begs leave to report as follows:

The purpose and intent of this measure is to repeal the sunset date of Act 158, Session Laws of Hawaii 2009, thereby making permanent the requirement that cooperative housing developments, condominium associations, and planned community associations establish an access policy for civil process servers.

Your Committee finds that in the two years since the enactment of Act 158, it has successfully assisted in the service of process on residents of community associations thereby reducing legal costs and improving notice as servers no longer have to wait for hours outside of limited-access properties or notice by publication when the residents cannot be reached. Your Committee further finds that Act 158 affords community associations autonomy to make their own rules regarding access for process servers and as a result has yielded no complaints from the associations or their residents during the two years that the Act has been in effect. This measure will make permanent a law that has been successful in facilitating and streamlining the judicial process.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1130, S.D. 1, and recommends that it pass Third Reading.

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Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTON HEE, Chair

The Senate Twenty-Sixth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral: Date:				
HB1130 (SDI	CPN, JDL 4/6/11				
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)	7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7				
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TOTAL		5			•
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes